

1 ROD O. DIVELBISS (SBN 102345)  
RDIVELBISS@COLLETTE.COM  
2 JRA LAW PARTNERS, LLP  
(FORMERLY COLLETTE ERICKSON  
3 FARMER & O'NEILL LLP)  
235 PINE STREET, SUITE 1300  
4 SAN FRANCISCO, CA 94104  
TELEPHONE: (415) 788-4646  
5 FACSIMILE: (415) 788-6929

6 SCOTT E. SILBERFEIN (*Pro Hac Vice*)  
7 JENNIFER NIGRO (*Pro Hac Vice*)  
MOSES & SINGER LLP  
8 The Chrysler Building  
405 Lexington Avenue  
9 New York, New York 10174-1299  
Telephone: (212) 554-7800  
10 Facsimile: (212) 554-7700

11 Attorneys for Defendants Northern Leasing Systems, Inc., MBF  
Leasing, LLC, Northern Funding, LLC, SKS Associates, LLC, Jay  
12 Cohen, Sara Krieger, Leonard Mezei and Sam Buono

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14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **OAKLAND DIVISION**  
17

18 JUST FILM, INC.; ET AL.,

19 Plaintiffs,

20 v.

21 MERCHANT SERVICES, INC.; ET AL.,

22 Defendants.  
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CASE NO. CV 10-01993 CW

JOINT STIPULATION PURSUANT TO  
LOCAL CIVIL RULE 6-2(b) TO  
EXTEND TIME TO RESPOND TO  
PLAINTIFFS' MOTION TO COMPEL AND  
PLAINTIFFS' MOTION TO SANCTION

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28 Case No. C 10-1993 CW

JOINT STIPULATION PURSUANT TO LOCAL CIVIL RULE 6-2 TO EXTEND TIME TO RESPOND TO  
PLAINTIFFS' MOTION TO COMPEL AND PLAINTIFFS' MOTION TO SANCTION

1 WHEREAS, on December 11, 2012, Plaintiffs filed a motion to compel Leasing  
2 Defendants (Northern Leasing Systems, Inc., MBF Leasing, LLC, Northern Funding, LLC, SKS  
3 Associates, LLC, Jay Cohen, Sara Krieger, Leonard Mezei and Sam Buono) to produce documents  
4 from other lawsuits, and a motion to sanction Leasing Defendants for failure to comply with  
5 discovery (dkt. #s 428 and 429, respectively) (“Plaintiffs’ Motions”);

6 WHEREAS, under the Local Rules, Leasing Defendants’ response(s) to Plaintiffs Motions  
7 would have been due during the week of the Christmas holiday when the parties and counsel were  
8 unavailable;

9 WHEREAS, counsel for Plaintiffs and Leasing Defendants agreed, via joint stipulation  
10 pursuant to Local Civil Rule 6-2(b), to extend Leasing Defendants time to respond to Plaintiffs’  
11 Motions from December 26, 2012 to January 3, 2013, and to extend Plaintiffs’ time to reply to  
12 January 8, 2013, with a hearing on Plaintiffs’ Motions set for January 15, 2013;

13 WHEREAS, on or about December 20, 2012, the parties’ joint stipulation and proposed  
14 order was filed with the Court (dkt. # 436);

15 WHEREAS, an MS Word version of the parties’ joint stipulation and proposed order was  
16 submitted to the email address of Magistrate Elizabeth D. Laporte, pursuant to Local Rule 5-1;

17 WHEREAS, by ECF notice dated December 27, 2012, the Court so-ordered the parties’  
18 joint stipulation but modified the proposed order submitted therewith to reflect a new hearing date  
19 of January 29, 2013 at 4:00 p.m.(dkt. # 437);

20 WHEREAS, counsel for Plaintiffs and Leasing Defendants agreed, via joint stipulation  
21 pursuant to Local Civil Rule 6-2(b), to further extend Leasing Defendants time to respond to  
22 Plaintiffs’ Motions from January 3, 2013 to January 8, 2013, and to extend Plaintiffs’ time to reply  
23 to January 15, 2013, with a hearing on Plaintiffs’ Motions set for January 29, 2013;

24 WHEREAS, on or about January 2, 2013, the parties’ joint stipulation and proposed order  
25 was filed with the Court (dkt. # 438);

26 WHEREAS, an MS Word version of the parties’ joint stipulation and proposed order was  
27 submitted to the email address of Magistrate Elizabeth D. Laporte, pursuant to Local Rule 5-1;

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1 WHEREAS, by ECF notice dated January 3, 2013 the Court so-ordered the parties' joint  
 2 stipulation extending Leasing Defendants' time to respond to Plaintiffs' Motions from January 3,  
 3 2013 to January 8, 2013, and extending Plaintiffs' time to reply to January 15, 2012, with a  
 4 hearing on Plaintiffs' Motions set for January 29, 2013 (dkt. #439);

5 WHEREAS, counsel for Plaintiffs and Leasing Defendants agreed, via joint stipulation  
 6 pursuant to Local Civil Rule 6-2(b), to further extend Leasing Defendants time to respond to  
 7 Plaintiffs' Motions from January 8, 2013 to January 11, 2013, with Plaintiffs' reply due January  
 8 15, 2013, and hearing on Plaintiffs' Motions set for January 29, 2013;

9 WHEREAS, on or about January 4, 2013, the parties' joint stipulation and proposed order  
 10 was filed with the Court (dkt. # 440);

11 WHEREAS, an MS Word version of the parties' joint stipulation and proposed order was  
 12 submitted to the email address of Magistrate Elizabeth D. Laporte, pursuant to Local Rule 5-1;

13 WHEREAS, by ECF notice dated January 7, 2013 the Court so-ordered the parties' joint  
 14 stipulation extending Leasing Defendants' time to respond to Plaintiffs' Motions from January 8,  
 15 2013 to January 11, 2013, with Plaintiffs' reply due January 15, 2012, and a hearing on Plaintiffs'  
 16 Motions set for January 29, 2013 (dkt. #442);

17 WHEREAS, the parties, through counsel, continue to meet and confer in good faith to  
 18 resolve the issues set forth in Plaintiffs' Motions, and have agreed to further extend Leasing  
 19 Defendants' time to respond to Plaintiffs' Motions from the current deadline of January 11, 2013  
 20 to January 15, 2013, and to extend Plaintiffs' time to reply to January 18, 2013, with a hearing on  
 21 Plaintiffs' Motions set for January 29, 2013;

22 WHEREAS, Plaintiffs' reply in support of their Motion for Class Certification is currently  
 23 due on February 14, 2013;

24 WHEREAS, the foregoing extension will not change the January 29, 2013 hearing date  
 25 ordered by the Court (dkt. #437);

26 WHEREAS, three prior extensions with respect to Plaintiffs' Motions have been jointly

1 requested as set forth above;

2 NOW, THEREFORE, IT IS STIPULATED, by and between the undersigned parties  
 3 through their respective counsel of record, pursuant to Local Civil Rules 6-1(b) and 2(a), that the  
 4 Court extend Leasing Defendants' time to respond to Plaintiffs' Motions from January 11, 2013 to  
 5 January <sup>14</sup>~~15~~, 2013; ~~Leasing Defendants shall have an extension to January 15, 2013 to file and~~  
 6 ~~serve their responses to Plaintiffs' Motions;~~ <sup>and</sup> Plaintiffs shall file and serve their reply by January  
 7 <sup>16</sup>~~18~~, 2013; and the hearing on Plaintiffs' Motions shall be January 29, 2013 at 1:30 p.m. before  
 8 Hon. Magistrate Judge Elizabeth Laporte.

9 DATED: January 10, 2013

10 Respectfully submitted,

11 MOSES & SINGER LLP

12 By /s/ Jennifer Nigro  
 13 Jennifer Nigro

14 Attorneys for Defendants Northern Leasing  
 15 Systems, Inc., MBF Leasing, LLC, Northern  
 16 Funding, LLC, SKS Associates, LLC,  
 Jay Cohen, Sara Krieger, Leonard Mezei and  
 Sam Buono

17 Scott E. Silberfein (pro hac vice)  
 18 Jennifer Nigro (pro hac vice)  
 Moses & Singer LLP

19 Rod O. Divelbiss  
 20 Collette Erickson Farmer & O'Neill LLP

21 GUTRIDE SAFIER LLP

22 By: /s/ Kristen Simplicio  
 23 Kristen Simplicio, Esq.

24 Attorneys for Plaintiffs

1 Pursuant to Local Civil Rule 6-2(a), and GOOD CAUSE APPEARING THEREFOR,  
2 **IT IS SO ORDERED.** The Stipulation is GRANTED IN PART and DENIED IN  
3 PART as modified above.  
4 DATED: 1/10/2013

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6 THE HONORABLE ELIZABETH D. LAPORTE  
7 UNITED STATES MAGISTRATE JUDGE  
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